

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.11860 of 2016

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ORDER:
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This Criminal Petition is filed under Section 482 read with Section 70(2) of Code of Criminal Procedure (Cr.P.C) by the petitioner seeking to direct the learned Additional Judicial First Class Magistrate, Tiruvur, Krishna District to recall N.B.Ws. issued on 11-12-2015 against the petitioner in C.C.No.883 of 2015.

Heard the learned counsel for the petitioner/accused and the learned Public Prosecutor and perused the material available on record.

A perusal of the record reveals that on 11-12-2015 on the ground that notice sent way of registered post was returned unserved as not claimed, the learned Judge has issued N.B.W. against the petitioner-accused. The said warrant is pending for the last eight months.

The learned counsel for the petitioner submits that the petitioner is a Government employee working outside Tiruvuru, where the case is pending. Therefore, seeks an opportunity to appear before the Court and get the warrant recalled. He further submits that the petitioner will appear promptly before the Court below hereinafter.

Having regard to the facts and circumstances of the case, the Criminal Petition is disposed of directing the petitioner/accused to appear before the Magistrate concerned

within a period of fifteen days from today and file an application to recall the NBW pending against him. On such appearance and filing of the application, the trial Court is directed to recall the warrant, pending against the petitioner/accused, on the same day on usual terms.

Miscellaneous Petitions filed in this Criminal Petition, if any, shall stand closed.

JUSTICE M.S.K.JAISWAL

12-08-2016

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